

House of Representatives, March 26, 1998. The Committee on General Law reported through REP. FOX, 144th DIST., Chairman of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING TEMPORARY BEER AND LIQUOR PERMITS FOR OUTINGS, PICNICS AND SOCIAL GATHERINGS, BACKERS OF CONCESSION PERMITS, COLISEUM PERMITS AND COLISEUM CONCESSION PERMITS, AND LIQUOR LAW INVESTIGATIONS AND ENFORCEMENT ACTIVITY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 30-35 of the general  
2 statutes is repealed and the following is  
3 substituted in lieu thereof:

4 A temporary beer permit shall allow the sale  
5 of beer and a temporary liquor permit shall allow  
6 the sale of alcoholic liquor at any outing, picnic  
7 or social gathering conducted by a bona fide  
8 noncommercial organization, which organization  
9 shall be the backer of the permittee under such  
10 permit. The profits from the sale of such beer or  
11 alcoholic liquor shall be retained by the  
12 organization conducting such outing, picnic or  
13 social gathering and no portion thereof shall be  
14 paid, directly or indirectly, to any individual or  
15 other corporation. Such permit shall be issued  
16 subject to the approval of the Department of  
17 Consumer Protection and shall be effective only  
18 for the time limited by the department. The

19 combined total of temporary beer permits and  
20 temporary liquor permits issued to an organization  
21 shall not exceed four during any one calendar  
22 year. The fee for a temporary beer permit shall be  
23 fifteen dollars per day and for a temporary liquor  
24 permit shall be twenty-five dollars per day. NO  
25 TEMPORARY BEER PERMIT OR TEMPORARY LIQUOR PERMIT  
26 MAY BE ISSUED UNDER THIS SECTION IF SUCH OUTING,  
27 PICNIC OR SOCIAL GATHERING IS TO BE HELD IN OR ON  
28 THE GROUNDS OF A PUBLIC ELEMENTARY OR PUBLIC  
29 SECONDARY SCHOOL BUILDING.

30 Sec. 2. Subsection (a) of section 30-48 of  
31 the general statutes, as amended by public act  
32 97-66, is repealed and the following is  
33 substituted in lieu thereof:

34 (a) No backer or permittee of one permit  
35 class shall be a backer or permittee of any other  
36 permit class except in the case of any class of  
37 airport, railroad, airline and boat permits, and  
38 except that: (1) A backer of a hotel or restaurant  
39 permit may be a backer of both such classes; (2) a  
40 holder or backer of a manufacturer permit for a  
41 brew pub, a restaurant permit or a cafe permit may  
42 be a holder or backer of any other or all of such  
43 classes; (3) a holder or backer of a restaurant  
44 permit may be a holder or backer of a bowling  
45 establishment permit; (4) a backer of a restaurant  
46 permit may be a backer of a coliseum permit or a  
47 coliseum concession permit, or both, when such  
48 restaurant is within a coliseum; (5) a backer of a  
49 hotel permit may be a backer of a coliseum permit  
50 or a coliseum concession permit, or both; (6) a  
51 backer of a coliseum permit may be a backer of a  
52 coliseum concession permit; (7) a backer of a  
53 coliseum concession permit may be a backer of a  
54 coliseum permit; (8) a backer of a grocery store  
55 beer permit may be a backer of a package store  
56 permit if such was the case on or before May 1,  
57 1996; (9) a backer of a university permit may be a  
58 backer of a nonprofit theater permit; (10) subject  
59 to the discretion of the department, a backer of a  
60 permit provided for in section 30-33b, may be a  
61 backer of any other retail on-premise consumption  
62 permit, including those permits provided for in  
63 section 30-33b; (11) a backer of a nonprofit  
64 theater permit may be a holder or backer of a  
65 hotel permit; [and] (12) a holder or backer of a  
66 restaurant permit may be a holder or backer of a

67 special outing facility permit; AND (13) A BACKER  
68 OF A CONCESSION PERMIT MAY BE A BACKER OF A  
69 COLISEUM PERMIT OR A COLISEUM CONCESSION PERMIT,  
70 OR BOTH. Any person may be a permittee of more  
71 than one permit. A person may be a permittee under  
72 a permit provided for in section 30-33b and a  
73 backer of any other retail on-premise consumption  
74 permit, including those permits provided for in  
75 section 30-33b. The operator of a racing or jai  
76 alai exhibition with pari-mutuel betting licensed  
77 by the Gaming Policy Board may be a backer of any  
78 permit provided for in section 30-33b. No holder  
79 of a manufacturer permit for a brew pub and no  
80 spouse or child of such holder may be a holder or  
81 backer of more than three restaurant permits or  
82 cafe permits.

83 Sec. 3. Section 30-87 of the general statutes  
84 is repealed and the following is substituted in  
85 lieu thereof:

86 Any person who [, for any purpose,] induces  
87 any minor to procure alcoholic liquor from any  
88 person permitted to sell [the same] SUCH ALCOHOLIC  
89 LIQUOR shall be subject to the penalties  
90 prescribed in section 30-113. The provisions of  
91 this section shall not apply to (1) the  
92 procurement of liquor by a person over age  
93 eighteen who is an employee or permit holder under  
94 section 30-90a where such procurement is made in  
95 the course of such person's employment or  
96 business, OR (2) ANY SUCH INDUCEMENT IN  
97 FURTHERANCE OF AN OFFICIAL INVESTIGATION OR  
98 ENFORCEMENT ACTIVITY CONDUCTED BY A LAW  
99 ENFORCEMENT AGENCY. NOTHING IN THIS SECTION SHALL  
100 BE CONSTRUED TO PREVENT ANY ACTION FROM BEING  
101 TAKEN UNDER SECTION 30-55, AS AMENDED, OR SECTION  
102 30-86, OR BOTH, AGAINST ANY PERSON PERMITTED TO  
103 SELL ALCOHOLIC LIQUOR WHO HAS SOLD ALCOHOLIC  
104 LIQUOR TO A MINOR WHERE SUCH MINOR IS  
105 PARTICIPATING IN AN OFFICIAL INVESTIGATION OR  
106 ENFORCEMENT ACTIVITY CONDUCTED BY A LAW  
107 ENFORCEMENT AGENCY.

108 GL COMMITTEE VOTE: YEA 16 NAY 0 JFS

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"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

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**FISCAL IMPACT STATEMENT - BILL NUMBER SHB 5444**

STATE IMPACT                      None, see explanation below  
MUNICIPAL IMPACT                None  
STATE AGENCY(S)                Department of Consumer Protection

**EXPLANATION OF ESTIMATES:**

This bill makes several changes to the Liquor Control Act. These changes concern investigations performed by the Department of Consumer Protection and the issuance of liquor permits. The provisions of the bill will not result in additional costs to the state as the department can adopt these changes as part of their current administrative practices.

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**OLR BILL ANALYSIS**

SHB 5444

**AN ACT CONCERNING TEMPORARY BEER AND LIQUOR PERMITS FOR OUTINGS, PICNICS AND SOCIAL GATHERINGS, BACKERS OF CONCESSION PERMITS, COLISEUM PERMITS AND COLISEUM CONCESSION PERMITS AND LIQUOR LAW INVESTIGATIONS AND ENFORCEMENT ACTIVITY**

**SUMMARY:** This bill changes the Liquor Control Act in three ways. It allows someone to induce a minor to buy liquor if the inducement is part of an official investigation or enforcement activity conducted by a law enforcement agency. The bill provides that the law against inducing a minor to obtain liquor is not to be construed in a way that would prevent (1) the

Department of Consumer Protection (DCP) from suspending or revoking a liquor seller's permit for violating the Liquor Control Act or (2) criminal prosecution for selling to minors, intoxicated people, and known habitual drunkards.

The bill prohibits DCP from issuing a temporary beer or liquor permit if the outing, picnic, or social gathering is to be held on the grounds of a public elementary school or public high school.

Finally, it allows a concession permit backer to be the backer of a coliseum permit, a coliseum concession permit, or both. By law, a "backer" is someone who owns a liquor business but does not hold the permit to operate it.

EFFECTIVE DATE: October 1, 1998

## **BACKGROUND**

### **Liquor Permits**

A concession permit allows the sale of beer and wine for on-premises consumption at a fair ground, ball park, amusement park, indoor-outdoor amphitheater, outdoor amphitheater next to an amusement park, public golf course, and sports arena. A coliseum permit allows the sale of all kinds of alcoholic liquor for on-premises consumption in a portion of a coliseum, such as a coliseum club. A coliseum concession permit allows the retail sale of beer in paper cups within the arena, at concession stands, and in adjacent hallways.

## **COMMITTEE ACTION**

General Law Committee

Joint Favorable Substitute  
Yea 16      Nay 0